

*Armstrong  
CGM*

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

*GAD 00044*

*[Appropriated Funds May Not Be Used For Entertainment Expenses § 901]*  
DATE: **JAN 18 1979**

FILE: B-193661

MATTER OF: Equal Employment Opportunity Commission - Reception  
for Hispanic Leaders

DIGEST: Funds appropriated for EEOC may not be used for entertain-  
ing Hispanic leaders at reception following conference.  
In the absence of specific statutory authority, appro-  
priated funds may not be used for entertainment expenses  
such as hosting a reception or otherwise providing snacks  
or refreshments.

This is in response to a letter from a Certifying Officer at  
the Equal Employment Opportunity Commission (EEOC), requesting our  
views on the proposed use of appropriated funds to pay the expenses  
of a reception for Hispanic leaders held at the invitation of the  
Chair of the Commission in conjunction with a planning conference.

On September 15, 1978, approximately forty Hispanic leaders  
met with EEOC officials in an all day conference at the EEOC. The  
purpose of the conference was to discuss the role of Hispanics in  
assisting the EEOC in carrying out programs under title VII of the  
Civil Rights Act of 1964, 42 U.S.C. § 2000e (1976). These programs  
would be designed to eliminate employment discrimination against  
Hispanics. At the conclusion of the conference, the Chair of the  
Commission hosted a reception for the Hispanic leaders. The stated  
goal of this reception was to stimulate further discussion of  
Hispanic problems in an informal setting. The expenses amounted to  
approximately \$275 for food items. We are unable to allow this  
payment.

As was pointed out in the letter from the Certifying Officer,  
there is no entertainment provision in EEOC's appropriation act. See  
the Departments of State, Justice, and Commerce, the Judiciary, and  
Related Agencies Appropriation Act of 1978, title V of which applies  
to the EEOC. Pub. L. No. 95-86, 91 Stat. 419, 437 (1977). The  
Certifying Officer suggests, however, that the reception for the  
Hispanic leaders could be considered to be an "educational or pro-  
motional activit[y]", as authorized by section 705(h) of title VII  
of the Civil Rights Act of 1964, as amended.

*003280-1*

*AW*

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Section 705(h) of the Act (42 U.S.C. § 2000e(h)) provides, in its entirety:

"The Commission shall, in any of its educational or promotional activities, cooperate with other departments and agencies in the performance of such educational and promotional activities."

There is nothing in the above-quoted language that in any way suggests an intent to authorize the provision of refreshments to community leaders as an educational or promotional expense. Moreover, we could find nothing in any of the other statutory provisions which set forth the powers and duties of the Equal Employment Opportunity Commission (42 U.S.C. § 2000e-4 through 15) to lend support to EEOC's contention that its authority for the conduct of educational and promotional activities is broad enough to encompass this type of expenditure. (In fact, the only reference there is to "educational and promotional activities" in the Commission's authorizing legislation is the above-mentioned section 705(h).)

Our Office has consistently held that funds appropriated for Government departments and agencies may not be used for entertaining individuals by providing luncheons, dinners, refreshments, etc., except when specifically authorized by statute and also authorized or approved by the proper administrative officers. See 47 Comp. Gen. 657 (1968); 43 Comp. Gen. 305 (1963); 26 Comp. Gen. 281 (1946). The EEOC reception at issue would fall within the scope of this general rule. The reception, although in conjunction with an authorized conference, constitutes entertainment.

There being no specific authorization for the use of appropriated funds to pay for the subject reception, EEOC's appropriations are not available to pay this \$275 expense.

**R. F. KELLER**

~~Deputy~~ Comptroller General  
of the United States